

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ING LIFE INSURANCE AND ANNUITY)
COMPANY,)
Plaintiff)
v.)
KUMBIRAI CHIWARA USHE,) CIVIL ACTION NO. 04 CV 11571 GAO
FIDES PERDITA USHE AS MOTHER)
AND NATURAL GUARDIAN OF)
KUMBIRAI CHIWARA USHE,)
ZVIDZAI G. USHE,)
DUMAZILE Z. USHE,)
NTOMBIZODWA KUMALO-USHE)
(LAST SPOUSE OF SAMSON CHIWARA)
USHE), individually and as Administratrix)
of the ESTATE OF SAMSON CHIWARA)
USHE,)
Defendant)

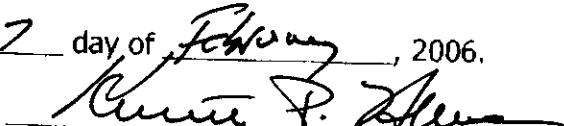
ORDER

Having heard the Motion For Order to Disburse Registry Funds, it is hereby
ORDERED:

The Clerk of the Court shall disburse from the court's registry funds related to the above-captioned matter within five (5) days of the date of this Order, a sum representing one-third of the amount in said fund after payment to ING Life Insurance and Annuity Company for their fair and reasonable attorney's fees and costs related to prosecuting this interpleader action.

The check disbursing said funds shall be made payable to Fides Perdita Ushe, as Guardian of Kumbirai Chiwara Ushe, and sent or released to her attorney, Joseph M. Lavinski, 935 Main Street, Suite 203, Springfield, MA 01103.

It is so ORDERED and ADJUDGED this 7 day of February, 2006.


Magistrate Judge Kenneth P. Neiman
U.S. District Court Magistrate Judge
for the District of Massachusetts